



**Department of Economic and
Development Services
Planning Division**

270 Montgomery Street, Woodburn, Oregon 97071 ▪ (503) 982-5246

**PLANNING COMMISSION STAFF REPORT
PUBLIC HEARING**

Application Types	Type III Design Review
Application Numbers	DR 2015-02, VAR 2015-01
Project Description	The applicant requests a Design Review for six commercial buildings totaling approximately 30,000 square feet of gross floor area, and a Variance to the requirement for a screening wall abutting residential development along Robin Avenue.
Project Location	3001 Newberg Highway, tax lot 052W12BC06600
Zoning	Commercial General (CG)
Property Owner	Master Development, LLC
Applicant	Schirmer Satre Group
Planner Assigned	Jim Hendryx, Economic and Development Services Director
Application Received	August 21, 2015
Application Complete	November 12, 2015
120-Day Deadline	March 11, 2016
Date of Staff Report	December 2, 2015
Date of Public Hearing	December 10, 2015

RECOMMENDATION

Approval subject to the conditions on page 31 of this report.

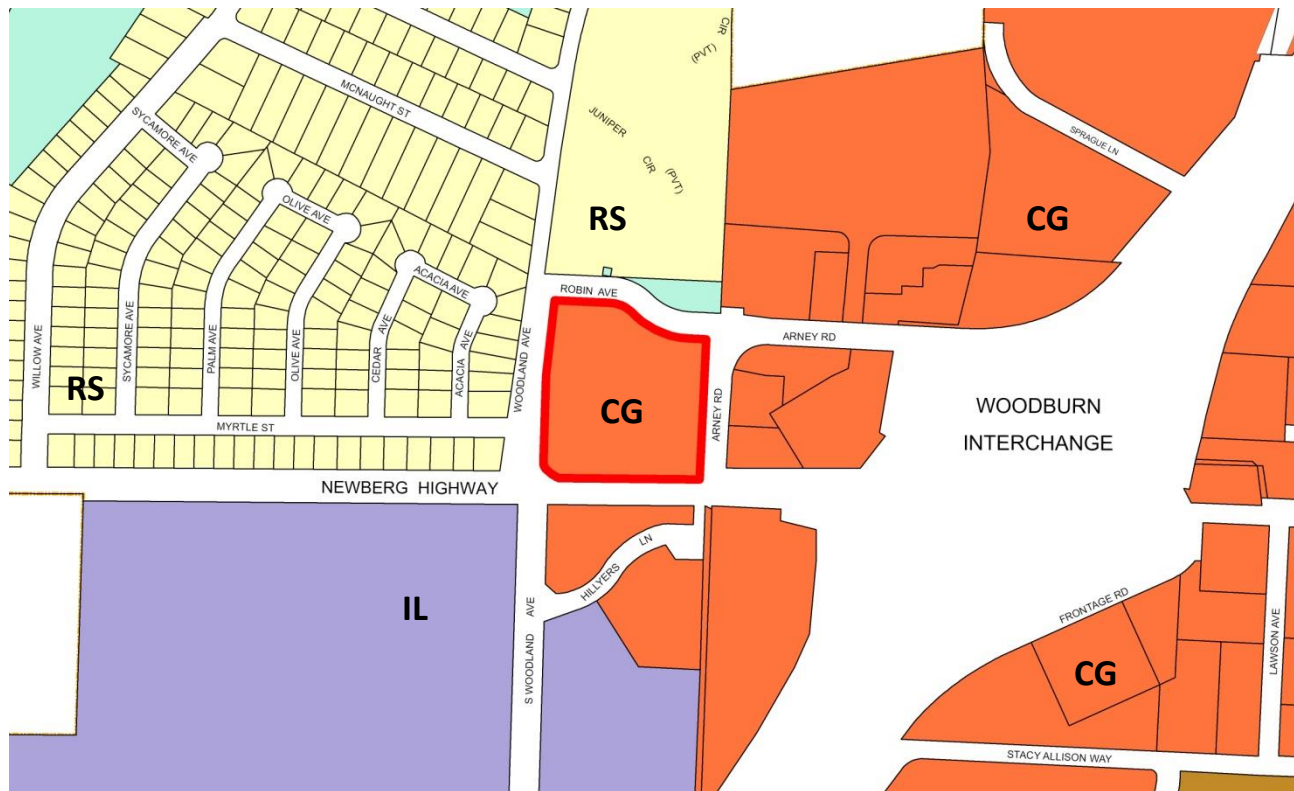
BACKGROUND AND PROPOSAL

The property was previously developed with an automobile dealership. A zoning restriction limiting the property to automotive sales was removed in 2013 by Ordinance 2499. In 2014, Masters Development received Type III Design Review for five retail and restaurant buildings totaling approximately 53,000 square feet and a Variance from screening abutting residentially developed properties on the north side of Robin Ave. The applicant proposes significant revisions to the approved plan; revising the site plan, proposing new buildings and architecture, thus necessitating resubmittal for Design Review and Variance Approval.

The applicant requests a Type III Design Review for five retail and restaurant buildings totaling 30,000 square feet of gross floor area, and a Variance to the requirement for a screening wall abutting residential development along Robin Avenue (see Exhibits A-E). The property is zoned Commercial General (CG). Abutting properties are zoned Commercial General (CG), Light Industrial Park (IL), Public and Semi-Public (P/SP), and Single-Family Residential (RS).

APPROVAL CRITERIA

Applicable criteria from the Woodburn Development Ordinance (WDO) are Sections: 1.01, 1.02, 2.01, 2.03, 2.05, 3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 3.07, 3.10, 4.01, and 5.03. Additional relevant criteria are the goals and policies of the Woodburn Comprehensive Plan, the accessible parking standards of Section 1104 of the Oregon Structural Specialty Code and ORS 447.233, and the standards of the Transportation System Plan (TSP).



Zoning Map with the Subject Property Outlined

ANALYSIS AND FINDINGS OF FACT

WDO 2.03 Commercial Zones

Findings: Table 2.03A lists the uses allowed in the CG zone. The uses identified at this time are retail and restaurant.

Uses Allowed in Commercial Zones Table 2.03A (excerpt)		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
B	Commercial Retail and Services	
21	Restaurants and drinking places	P
22	Retail trade offering goods and services directly to customers	P

Conclusion: The proposed uses are allowed on the subject property.

Findings: Table 2.03C lists development standards of the CG zone.

Commercial General (CG) - Site Development Standards Table 2.03C (excerpt)		
Lot Area, Minimum (square feet)		No minimum
Lot Width, Minimum (feet)		No minimum
Lot Depth, Minimum (feet)		No minimum
Street Frontage, Minimum (feet)		No minimum
Front Setback and Setback Abutting a Street, Minimum (feet)		5
Lot Coverage, Maximum		Not specified ²
Building Height, Maximum (feet)	Primary or accessory structure	70
	Features not used for habitation	100
2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.		

Findings: Table 2.03C requires a setback of five feet abutting a street, and side and rear setbacks of zero or five feet. The site plan shows all buildings to be located at least five feet from all lot lines.

Conclusion: The proposed development is conforming with respect to setbacks.

Findings: Table 2.03C provides that the minimum building setback from a private access easement shall be five feet. The site plan shows no private access easement.

Conclusion: The proposed development complies with Table 2.03C, because there is no private access easement on the property.

Findings: Table 2.03C sets the maximum height of buildings at 70 feet. The elevation drawings (Exhibit E) shows that the buildings have typical parapet heights of up to 23 feet.

Applicant's statement: "The buildings will typically be one story and less than 70 feet tall."

Conclusion: The proposed development is conforming with respect to building height.

WDO 2.05.02 Interchange Management Area Overlay District

Findings: Section 2.05.02.B states that the provisions of this Section apply to all Type II – V land use applications which propose to allow development that will generate more than 20 peak hour vehicle trips on parcels identified in Table 2.05A. The provisions of this Section apply to all properties within the boundary of the Interchange Management Area (IMA).

Applicant's statement: "The development site falls within the boundaries of Interchange Management Area however the map and tax lot are not specified in the Vehicle Trip Budget By Parcel Table 2.05A. The prior owner submitted a Zone Change Application and corresponding TPR Report created by Kittelson & Associates, Transportation Engineers. This report was approved as part of the Zone Change and sets a trip cap for future development of the site. See attached TPR from 2012 and new Traffic Report submitted as part of this application.

In summary, the old report set a trip cap and the new report analyzes the existing proposed uses. The new report indicates that the proposed development adheres to that trip cap."

Conclusions: The proposed development is not subject to the IMA trip budget, but is subject to other provisions of Section 2.05.02 – including the requirement for a Traffic Impact Analysis (TIA) and coordination with the Oregon Department of Transportation (ODOT).

Findings: Section 2.05.02.C establishes trip budgets for parcels listed in Table 2.05A. The subject property is not listed in Table 2.05A.

Conclusion: The proposed development is not subject to the IMA trip budget, since the property is not listed in Table 2.05A.

Findings: Section 2.05.02.D.1 requires a Traffic Impact Analysis (TIA) for all land use applications in the IMA. The application submittal included a Transportation Assessment Letter (Exhibit C) that updated the TIA that was completed for the previous application in 2014. The letter noted that "The current development proposal contains a different mix and quantity of commercial retail uses when

compared to the approved November 2014 proposal. As this is the only substantive change between the two proposals, a trip generation comparison was prepared to quantify the different trip profiles using the appropriate land uses contained within Trip Generation, 9th Edition. Table 1 documents this comparison and demonstrates that the current development proposal is estimated to generate fewer daily and weekday p.m. peak hour trips than previously analyzed.”

The letter goes on to recommend the following improvements;

Arney Road Site Driveway

- “The Arney Road site driveway should be located approximately 230 feet north of the Highway 219/Arney Road intersection. To accommodate the anticipated demand at the proposed driveway, the following striping modifications are proposed along the existing Arney Road cross section:
 - Provide a northbound left-turn lane with 75 feet of storage and appropriate tapers at the proposed site driveway to accommodate site ingress movements.
 - Include additional roadway striping (that is complimentary to the planned raised channelization island) to guide the westbound right-turn vehicles on Highway 219 into the northbound through lane on Arney Road and provide a transition for the left-turn pocket at the proposed site driveway.
 - Maintain dual double yellow lane striping on Arney Road to delineate northbound and southbound movements and discourage left-turn movements at the existing driveway located on the east side of Arney Road.
 - Connect the proposed lane striping to the existing separate northbound left- and right-turn lanes at the Arney Road/Robin Avenue intersection.
 - Modify the existing stop signs (with their secondary signs) on the northbound and eastbound approaches at the Arney Road/Robin Avenue intersection. These new stop signs should meet the MUTCD standards that require seven feet of clearance beneath the secondary signs. The existing stop signs do not meet this requirement as the secondary signs have less than seven feet of clearance.
 - To ensure that the maximum intersection sight distance is maintained at the Arney Road side driveway, it is recommended that all street trees and above-ground utilities be kept clear of the departure sight triangles and that any landscaping be limited to low-lying groundcover.

Robin Avenue Site Driveway

- The Robin Avenue site driveway should be located approximately 250 feet east of the Woodland Avenue/Robin Avenue intersection and 150 feet west of the Arney Road/Robin Avenue intersection. Due to the horizontal curvature of Robin Avenue along the north site frontage, it is important to ensure that there is an adequate departure sight triangle for the northbound left and right turn exiting lanes. To ensure the maximum amount of intersection sight distance for these two movements, it is recommended that all street trees and above-ground utilities be kept clear of the departure sight triangles and that any landscaping be limited to low-lying groundcover.”

Conclusion: The proposed development complies with Section 2.05.02.D.1, since it does not adversely impact the transportation system. Secondly, specific improvements, both on-site and within adjacent rights-of-way, further minimize future impacts.

Findings: Section 2.05.02.D.2 requires that the Oregon Department of Transportation (ODOT) be notified in writing when the application is deemed complete, and be given at least 20 days to provide written comments to the City. The preliminary project drawings and narrative were mailed to ODOT on September 4, 2015 together with an invitation to provide comments. ODOT has responded in a series of emails indicating that the preliminary layout and design address their concerns. Separately, a highway access permit will be required from the applicant to access Arney Road.

Conclusion: The procedural requirements of Section 2.05.02.D.2 have been satisfied.

Findings: Section 2.05.02.G.1 provides that the proposed development shall not, in combination with other approved developments subject to this Section, exceed the IMA trip budget of 2,500 peak hour vehicle trips. The subject property is not listed in Table 2.05A.

Conclusion: The proposed development complies with Section 2.05.02.G.1, since the property is not listed in Table 2.05A and the overall trip budget is not exceeded.

Findings: Section 2.05.02.G.2 requires that peak hour vehicle trips generated by the proposed development shall not exceed the maximum peak hour vehicle trips specified in Table 2.05A for the subject parcel. The subject property is not listed in Table 2.05A.

Conclusion: Section 2.05.02.G.2 does not apply to the proposed development, since the property is not listed in Table 2.05A.

Findings: Section 2.05.02.G.3 requires that Transportation Demand Management (TDM) measures shall be required to minimize peak hour vehicle trips and shall be subject to annual review by the City. The subject property is not listed in Table 2.05A.

Conclusion: Section 2.05.02.G.3 does not apply to the proposed development, since the property is not listed in Table 2.05A.

WDO 3.01 Streets

Findings: Section 3.01.02. A provides that no development shall be approved, or access permit issued, unless the internal streets, Boundary streets and Connecting streets are constructed to at least the minimum standards set forth in this section, or are required to be so constructed as a condition of

approval. As set forth below, the streets serving this development meet, or will meet, the minimum standards of this Section.

Applicant's statement: "The four streets abutting this development site are improved with ODOT making recent improvement to Newberg Hwy, Arney Road & Woodland Ave. All boundary streets and connecting streets have been improved to the minimum standards in this Section per ODOT's project. There are no internal streets on this development site."

Conclusion: The proposed development complies with Section 3.01.02.A.

Findings: Section 3.01.03.C provides that the minimum improvements for a Boundary Street shall be:

1. One paved 11-foot travel lane in each direction;
2. On-street parking on the side of the street abutting the development, if on-street parking is indicated in the Transportation System Plan (TSP);
3. Curb on the side of the street abutting the development;
4. Drainage facilities on the side of the street abutting the development;
5. Street trees on the side of the street abutting the development; and
6. A sidewalk on the side of the street abutting the development.

Findings: Newberg Highway is a Boundary Street for the proposed development. Newberg Highway has a right-of-way dedication of at least 100 feet, and has been reconstructed as part of the I-5 interchange project.

Findings: Arney Road is a Boundary Street for the proposed development. The existing cross-section of Arney Road is a right-of-way dedication of at least 80 feet, and has been reconstructed as part of the I-5 interchange project.

Findings: Robin Avenue is a Boundary Street for the proposed development. The existing cross-section of Robin Avenue is a right-of-way dedication of at least 80 feet, improved with curb-tight sidewalks, bike lanes, travel lanes, and a center turn lane.

Findings: Woodland Avenue is a Boundary Street for the proposed development. The existing cross-section of Woodland Avenue is a right-of-way dedication of at least 90 feet, improved with sidewalks, travel lanes, median, and turn lanes. No on-street parking is allowed.

Conclusions: All abutting streets have the minimum improvements required of a Boundary Street. The proposed development complies with Section 3.01.03.C.

Findings: Section 3.01.04 provides that public streets under the jurisdiction of the City must comply with the cross-sections depicted. The cross-sections depicted in the WDO do not apply at intersections with turn lanes, or in transition areas. Newberg Highway is a Major Arterial and is an ODOT facility. Arney Road is a Service Collector and is currently an ODOT facility. (Arney Road will be transferred to City jurisdiction upon completion of the I-5 interchange project.) Robin Avenue is a Service Collector and is a City facility. Woodland Avenue is an Access Street and is a City facility.

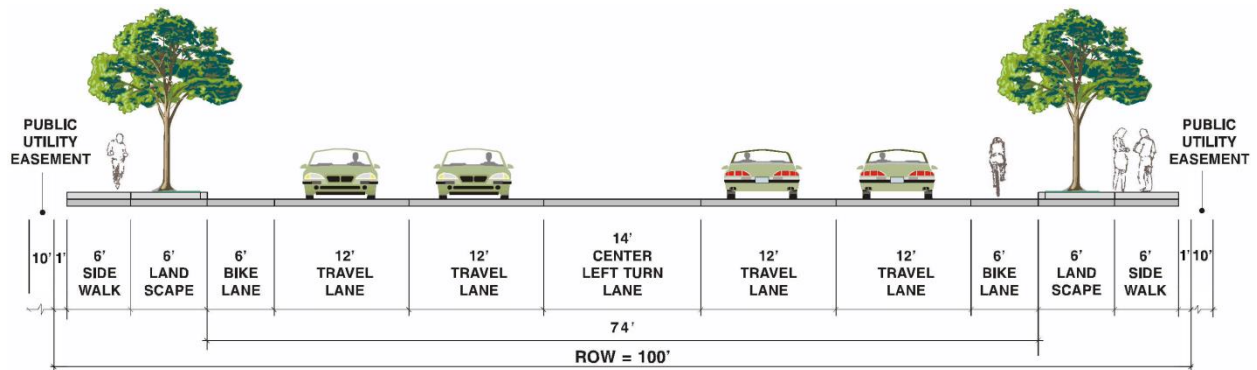


Figure 3.01B – Major Arterial

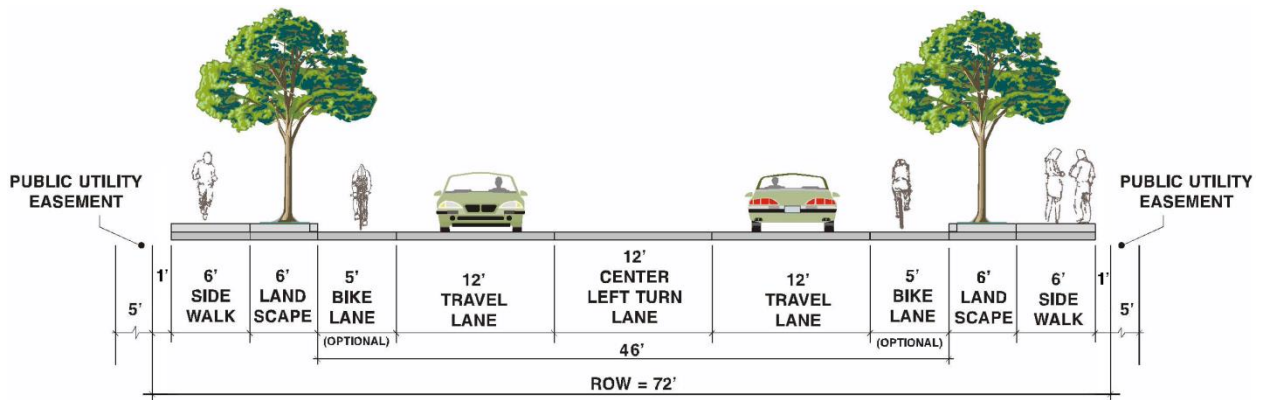


Figure 3.01D – Service Collector

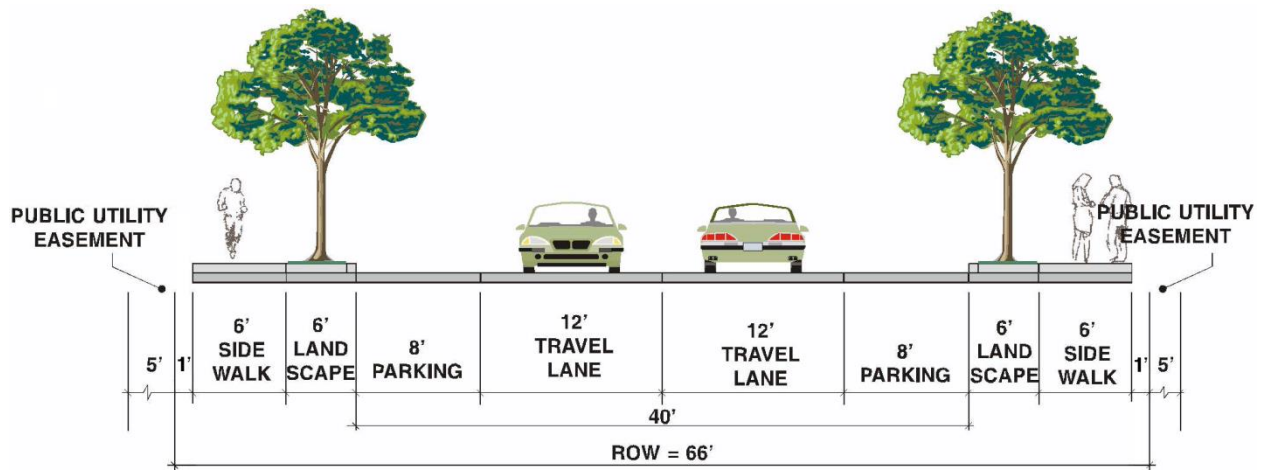


Figure 3.01E – Access Street / Commercial Street

Conclusions: As noted above, all streets have the right-of-way dedication and the minimum improvements required of a Boundary Street, and therefore comply with Section 3.01.04.

WDO 3.02***Utilities and Easements***

Findings: Section 3.02.01.A requires dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities. The Public Works Department has requested easements for internal public water facilities under this provision.

Conclusions: The property owner must provide easements for all public utilities. The applicant has submitted site plans reflecting necessary easements. This will be accomplished by a recorded document and verified during the building permit process.

Findings: Section 3.02.01.B requires a five foot public utility easement along each public street. Section 3.02.01.C authorizes the Director to require dedication of public utility easements as a condition of approval for development. The site plan shows five foot public utility easements along the abutting streets and public utility easements for internal public water facilities.

Conclusions: The proposed development complies with Section 3.02.01.B.

Findings: Section 3.02.02 requires easements along creeks and other water courses. The property does not contain a water course. A tributary of Senecal Creek flows in a culvert under Arney Road.

Conclusion: The proposed development complies with Section 3.02.02 because there are no creeks or other water courses on the property.

Findings: Section 3.02.03 requires that public streets abutting a development be illuminated with street lights installed to the standards of the City and the electric utility. ODOT installed lights along Newberg Highway as part of the I-5 interchange improvements. Arney Road, Robin Avenue, and Woodland Avenue need to be evaluated for minimum street light requirements. The property owner shall provide Public Street lighting if required after street light illumination analysis is completed.

Conclusion: The proposed development complies with Section 3.02.03.

WDO 3.03***Setbacks and Open Space***

Findings: Section 3.03 provides standards for setbacks, special setbacks for streets with less than adequate right-of-way dedication, projections into setbacks, and vision clearance areas. The site plan shows adequate right-of-way dedication, no projections into setbacks, and no encroachments into the vision clearance areas.

Conclusion: The proposed development complies with Section 3.03.

WDO 3.04***Vehicular Access***

Findings: Section 3.04.01.A provides that every lot shall have direct access to an abutting public street or to a public street by an irrevocable access easement. The site plan shows direct access to Arney Road and Robin Avenue.

Conclusion: The proposed development complies with Section 3.04.01.A.

Findings: Section 3.04.01.B provides that a City permit shall be required for any new or modified vehicular access to a street that is under City jurisdiction. The project involves relocating the access points onto Arney Road and Robin Avenue.

Conclusion: A City and ODOT access permit is required.

Findings: Section 3.04.02 requires drive-through lanes be a minimum of 12 feet wide and 50 feet long, with a minimum turning radius of 25 feet, and provided with a bypass lane with a minimum width of eight feet. The site plan shows the drive-through meeting the minimum standards.

Conclusion: The proposed development complies with Section 3.04.02.

Findings: Section 3.04.03.C.1 provides that all uses on a lot shall have common or interconnected off-street parking and circulation facilities. The site plan shows interconnected parking and access for all buildings.

Conclusion: The proposed development complies with Section 3.04.03.C.1.

Findings: Section 3.04.05.A provides that a Traffic Impact Analysis (TIA) may be required by the Director prior to the approval of a City access permit. A traffic analysis was included in the submittal package.

Conclusion: The proposed development complies with Section 3.04.05.A.

Findings: Table 3.04A provides that the throat length of a driveway onto a Service Collector is a minimum of 50 feet. The site plan shows the nearest parking spaces to be more than 50 feet from Arney Road and Robin Avenue.

Conclusion: The proposed development complies with Table 3.04A with respect to throat length.

WDO 3.05 Off-Street Parking and Loading

Findings: Section 3.05.02.B provides that the off-street parking and loading areas shall either be:

1. Owned in fee title by the owner of the structure or site being served by the parking area; or
2. Subject to a parking agreement, to the satisfaction of the Director and recorded with the County Recorder.

The site plan shows that all required parking is located on the subject property.

Applicant's statement: "The property is owned in fee title by the owner of the site."

Conclusion: The proposed development complies with Section 3.05.02.B.

Findings: Section 3.05.02.D.2 Off-street parking shall be located on the same lot as the primary building or use...

Applicant's statement: "...this development proposal plans for all off street parking and loading spaces to be on the same lot..."

Conclusions: The proposed development complies with Section 3.05.02.D.2.

Findings: Section 3.05.02.D.4 provides that off-street parking and storage shall be prohibited within a setback adjacent to a street, except behind a wall. Per Table 2.03C, the setback abutting a street is five feet.

Applicant's statement: "The property is zoned CG (Commercial General) therefore all parking spaces are setback from the street right of way by a minimum of 5 feet."

Conclusions: The proposed development complies with Section 3.05.02.D.4.

Finding: Section 3.05.02.F requires that vehicle parking and loading areas be paved to the standards of Section 3.04.04.

Applicant's statement: "Vehicle parking and loading areas will be paved with asphalt concrete."

Conclusions: The proposed development appears to comply with Section 3.05.02.F. Compliance will be verified during the building permit process.

Findings: Section 3.05.02.H requires that off-street parking spaces be constructed with wheel barriers that prevent vehicles from damaging structures, projecting over walkways so as to leave less than

four feet of unobstructed passage, or projecting over access ways, abutting properties or rights-of-way.

Applicant's Statement: "Project has been designed so that plant beds are 2 feet deeper than required so that cars may over hang those areas. Parking spaces abutting sidewalks leave at least 6 feet of unobstructed passage. Parking spaces do not abut properties or rights-of-way."

Conclusion: The proposed development complies with Section 3.05.02.H.

Findings: Section 3.05.02.I requires that off-street parking spaces be designed so that no backing or maneuvering within a public right-of-way is required. The site plan shows that all parking is accessed by means of on-site maneuvering aisles.

Applicant's statement: "All maneuvering areas have been designed in compliance with Table 3.05C."

Conclusion: The proposed development complies with Section 3.05.02.I.

Findings: Section 3.05.02.J requires that all uses required to provide 20 or more off-street parking spaces must have directional markings or signs to control vehicle movement. The site plan shows directional pavement markings at the access points.

Conclusion: The proposed development complies with Section 3.05.02.J.

Findings: Section 3.05.02.K requires that off-street parking spaces be delineated by double parallel lines on each side of a space. The total width of the lines shall delineate a separation of two feet. Although the site plan delineates the parking spaces with a single line, a detail on the site plan shows double stripes.

Conclusions: The proposed development complies with Section 3.05.02.K. Compliance will be verified during the building permit process.

Findings: Section 3.05.02.L provides that illumination shall not shine or reflect onto residentially zoned property or a public street. For nonresidential uses:

1. Parking and loading areas should be illuminated at an average of 0.2 horizontal foot-candle at ground level (or 0.5 horizontal foot-candle if the applicant states that personal security or vandalism is a likely or severe problem), with a maximum uniformity ratio of 20:1 (maximum to minimum)
2. Entrance areas to the building should be illuminated at an average of 0.7 horizontal foot-candle at ground level (or 1.0 horizontal foot-candle if the applicant states that personal

security or vandalism is a likely or severe problem), with a maximum uniformity ratio of 15:1 (maximum to minimum).

The photometric plan indicates an average illumination of 0.4 foot candles and a uniformity ratio of 25:1 (maximum to minimum). Conclusions: The proposed development does exceed the standards of Section 3.05.02.L. The applicant has indicated concern for safety and potential vandalism and proposed lighting to address these concerns.

Note: The proposed development must also comply with the State of Oregon's energy budget for outdoor lighting. However, this should not be an issue, since site lighting consists of LED lighting. This building code requirement will be verified during the permit process.

Findings: Table 3.05A gives the required off-street parking ratios.

Off-Street Parking Ratio Standards	
Table 3.05A (excerpt)	
Use	Parking Ratio - spaces per activity unit or square feet of gross floor area
COMMERCIAL / PUBLIC	
5. Food and drinking places	1/ 200 square feet
7. General retail sales (such as food and beverages, clothing, sporting goods, health and personal care items, and motor vehicle parts)	1/ 250 square feet

The site plan shows a total of 29,761 square feet, with approximately 11,849 square feet of restaurants and 17,648 sq ft of retail space. The ordinance requires a total of 131 spaces, while the applicant is providing 215 spaces.

Conclusion: The proposed development complies with Table 3.05A.

Findings: Section 3.05.03.A.2 provides that off-street parking spaces shall not exceed 2.0 times the amount required in Table 3.05A. The parking provided (216 spaces) is less than twice the minimum requirement (131 spaces).

Conclusion: The proposed development complies with Section 3.05.03.A.2.

Findings: Table 3.05B gives the required number of accessible parking spaces. Section 3.05.03.B provides that the accessible spaces shall be included as part of the total required vehicle parking spaces. The site plan shows nine van accessible spaces provided.

Accessible Parking Ratio Standards			
Table 3.05B			
Total Spaces	Minimum Total Accessible Spaces ¹	Minimum Van Accessible Spaces	Minimum “Wheelchair User Only” Spaces
201 to 300	7		1
1. “Van Accessible Spaces” and “Wheelchair User Only” are included in “Total Accessible Spaces.”			

Applicant’s statement: “The total required accessible parking for the development site is found in Table 3.05B. The development site falls in the range of 201 – 300 parking spaces, therefore 7 accessible parking spaces are required. One of those accessible spaces is to be wheelchair only. Nine accessible spaces are shown on the Site Plan.”

Conclusion: The proposed development complies with Table 3.05B.

Findings: Section 3.05.03.C provides that a maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces. The site plan shows 27 compact parking spaces.

Applicant’s statement: “The required spaces total 131. There are 189 full size parking spaces. None of the required vehicle parking spaces are satisfied by compact spaces.”

Conclusion: The proposed development complies with Section 3.05.03.C.

Findings: Table 3.05C gives the required dimensions of parking spaces and drive aisles. The parking spaces shown on site plan are all 90° spaces. Standard spaces are called out as 9 feet wide by 19 feet long. Van-accessible spaces are called out as 9 feet wide by 19 feet long, with 8-foot accessible aisles. All two-way drive aisles are called out as 24 feet wide.

Parking Space and Drive Aisle Dimensions							
Table 3.05C (excerpt)							
Parking Angle	Type of Space	Stall Width (feet)	Curb Length (feet)	Stripe Length (feet)	Stall to Curb (feet)	Drive Aisle Width (feet)	
						1-way	2-way
A		B	C	D	E	F	G
90°	Standard or Accessible	9.0	9.0	19.0	19.0	24.0	24.0
	Compact	7.5	7.5	15.0	15.0	22.0	
	Car Accessible Aisle	6.0	6.0	19.0	19.0	24.0	
	Van Accessible Aisle	8.0	8.0	19.0	19.0		
<div>1. A parking space may occupy up to two feet of a landscaped area or walkway. At least four feet clear width of a walkway must be maintained.</div> <div>2. Space width is measured from the midpoint of the double stripe.</div> <div>3. Curb or wheel stops shall be utilized to prevent vehicles from encroaching on abutting properties or rights-of-way.</div> <div>4. The access aisle must be located on the passenger side of the parking space, except that two adjacent parking spaces may share a common access aisle.</div>							

Applicant's statement: "As specified in Table 3.05C, all 90 degree standard or accessible spaces are 9' wide and 19' deep with a 24' drive aisle (since all drive aisles are 2 way). All 90 degree compact space are 15' deep with a 24 foot drive aisles. Different from the table the width of the compact space is still a generous 9' allowing for easier maneuvering in spite of the reduced stall depth."

Conclusion: The proposed development complies with Table 3.05C.

Findings: Section 3.05.03.E states that uses that are required to provide 10 or more off-street parking spaces and residential structures with four or more dwelling or living units shall provide a bicycle rack within 50 feet of the main building entrances. The number of required rack spaces shall be one space per ten vehicle parking spaces, with a maximum of 23 rack spaces. The site plan shows that each building has bike rack spaces, for a total of 23 spaces. The combined buildings E and F are exceptionally long, with a four-space rack in front of building E. A separate rack is needed for Building F to meet the 50 foot spacing.

Applicant's statement: "The total required parking space count is 220. The required bicycle parking is at a ratio of 1 per 10 parking spaces or 22 spaces. The bicycle parking has been dispersed throughout the site."

Conclusion: The proposed development complies with the 20 rack space maximum of Section 3.05.03.E. A bike rack is needed for Building F to meet the 50 ft spacing requirement and can be moved from elsewhere on the site layout.

Findings: Table 3.05.04D sets the minimum requirements for loading spaces. The buildings total approximately 29,000 gross square feet. The site plan shows six loading spaces, called out as 12 feet wide and 30 feet long, and located in both drive and drive-up window aisles. Section 3.05.04.B requires that loading spaces and parking spaces be separate and distinct, except that if authorized through a land use decision, a parking area may be used for loading during those times when the vehicle parking area is not in use.

Loading Space Requirements				
Table 3.05D (excerpt)				
Use and Area (square feet)	Minimum Number of Spaces	Minimum Size of Space (feet)		
		Width	Length	Height
Nonresidential uses, except office, in the CG zone: 42,000 – 81,999	2	12	30	14

Conclusions: The proposed development complies with Table 3.05D. Approval of the Design Review would authorize the proposed location of the loading spaces in the parking and drive-up window aisles.

Findings: Section 3.05.04.B provides that required loading spaces and required parking spaces shall be separate and distinct, except that if authorized through a land use decision, a parking area may be used for loading during those times when the vehicle parking area is not in use. All of the loading spaces are located in parking and drive-up window aisles.

Conclusion: The proposed development complies with Section 3.05.04.B, if authorized by the Planning Commission.

Findings: Section 3.05.05 allows reduced off-street parking requirements if a mix of daytime, nighttime or weekend uses is proposed. The applicant has not requested such a reduction.

Applicant's statement: "None of the parking requirement is met through shared parking."

Conclusion: The proposed development complies with Section 3.05.05.

WDO 3.06 Landscaping

Findings: Section 3.06.01.A provides that the landscaping requirements apply to the site area for all new or expanded non-residential development, parking and storage areas for equipment, materials and vehicles.

Conclusion: The provisions of Section 3.06.01.A apply to the proposed development and its related parking.

Findings: Section 3.06.02.B provides that all required landscaped areas be irrigated, unless it is documented that the proposed landscaping does not require irrigation. The landscape plan (Exhibit W) notes that an irrigation system will be installed in all lawn and plant bed areas.

Conclusion: The proposed development complies with Section 3.06.02.B.

Findings: Section 3.06.02.C provides that all shrubs and ground cover shall be of a size upon installation so as to attain 80% of ground coverage within 3 years.

Applicant's statement: "The majority of the shrubs will be installed in a 5 gallon size which will ensure 80% ground coverage in 3 years. Ornamental grasses and perennials are typically installed in 1 gallon size as they grow more quickly than shrubs and will easily attain coverage in 3 years."

Conclusion: The proposed development complies with Section 3.06.02.B.

Findings: Section 3.06.03.A requires one tree per every entire 50 feet of street frontage. Street trees along Major Arterials must be of a "large" species (60-120 feet high at maturity). Street trees along Service Collectors and Access Streets must be of a "medium" species (40-60 feet high at maturity). Newberg Highway is a Major Arterial, Arney Road and Robin Avenue are Service Collectors, and Woodland Avenue is an Access Street. The property has approximately 460 feet of frontage on Newberg Highway, 390 feet of frontage on Arney Road, 480 feet of frontage on Robin Avenue, and 500 feet of frontage on Woodland Avenue. As part of the interchange project, ODOT planted four October Glory Red Maple trees (40-50 feet tall) on Newberg Highway. The landscape plans also show five tulip trees (70-100 feet tall) on Newberg Highway. Furthermore, the landscape plans show two Green Mountain Sugar Maples (40-60 feet tall), four existing street trees and one Japanese Maple on Arney Road, nine Green Mountain Sugar Maples (40-60 feet tall) and one existing tree on Robin Avenue, and 10 existing tree, on Woodland Avenue. The trees along Woodland Avenue are on the subject property, because the right-of-way is fully improved with traffic lanes and sidewalk extending to the property line.

Applicant's statement: "The street frontage requires the installation of 36 trees. ODOT installed four street trees and several existing street trees will remain. This project is proposing to install 18 street trees."

Conclusions: At least nine street trees are required along Newberg Highway, eight along Arney Road, ten trees along Robin Avenue, and ten along Woodland Avenue. The proposed development effectively complies with Section 3.06.03.A.

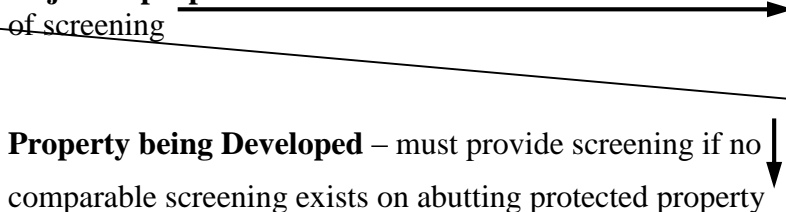
Findings: Table 3.06A sets the landscaping requirement for development and establishes specific standards for setbacks, yards, and off-street parking areas. The property has frontage on Newberg Highway, Arney Road, Robin and Woodland Avenues. The applicant's narrative demonstrates that a total of 1,891 plant units are required to meet the individual standards outlined in Table 3.06A below.



Planting Requirements Table 3.06A		
Location	Planting Density, Minimum	Area to be Landscaped, Minimum
Setbacks abutting a street	1 PU/15 square feet	Entire setback excluding driveways
Buffer yards	1 PU/20 square feet	Entire yard excluding off-street parking and loading areas abutting a wall
Other yards	1 PU/50 square feet	Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas
Off-street parking and loading areas	<ul style="list-style-type: none"> • 1 small tree per 10 parking spaces; or ¹ • 1 medium tree per 15 parking spaces; or ¹ • 1 large tree per 25 parking spaces ¹ and <ul style="list-style-type: none"> • 1 PU/20 square feet excluding required trees ² 	<ul style="list-style-type: none"> • RS, R1S, RSN, RM, RMN, P/SP, CO, CG and MUV zones: 20% of the paved surface area for off-street parking, loading and circulation • DDC, NNC, IP, IL, and SWIR zones: 10% of the paved surface area for off-street parking, loading and circulation • Landscaping shall be within or immediately adjacent to paved areas
Common areas, except	3 PU/50 square feet	Entire common area

Planting Requirements Table 3.06A		
Location	Planting Density, Minimum	Area to be Landscaped, Minimum
those approved as natural common areas in a PUD		
1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces. 2. Required landscaping within a setback abutting a street or an interior lot line that is within 20 feet of parking, loading and circulation facilities may also be counted in calculating landscaping for off-street parking, loading and circulation areas.		

Conclusion: The site plan and narrative demonstrate that while 1,891 plant units (PUs) are required by ordinance, 3,076 plant units are being proposed for the project, well in excess of the minimums required. There is a combination of trees, large and medium sized shrubs and ground cover, lawn and screening materials. Further, the site plan demonstrates uniform plantings throughout the site, meeting ordinance intent and standard. The property is surrounded by streets, with residential, commercial and industrial properties being adjacent. Plantings have been arraigned to exceed the standards for yards adjacent to streets, buffer yards, other yards and within parking and loading areas.

Findings: Table 3.06A sets the screening requirement for uses in the CG zone. The single-family development to the west is screened by a concrete block wall on the west side of Woodland Avenue. The site plan does not show areas for outdoor storage.

Screening Requirements Table 3.06D (excerpt)					
W = Architectural wall required D = Architectural wall, fence, or hedge may be required in the Design Review process					
Adjacent properties – zone or use that receives the benefit of screening 	RS zone	CG zone	IL zone	P/SP zone	Manufactured dwelling park
Property being Developed – must provide screening if no comparable screening exists on abutting protected property					
CG zone	W ²	D	D	D	W ²
Outdoor storage in CG zone	W ^{1,3}	W ^{1,3}	W ^{1,3}	W ^{1,3}	W ^{1,3}

Screening Requirements Table 3.06D (excerpt)					
W = Architectural wall required D = Architectural wall, fence, or hedge may be required in the Design Review process					
Adjacent properties – zone or use that receives the benefit of screening 	RS zone	CG zone	IL zone	P/SP zone	Manufactured dwelling park
Property being Developed – must provide screening if no comparable screening exists on abutting protected property 					
Refuse and recycling collection facilities	W ²	W ²	W ²	W ²	W ²
1. Screening is only required from the view of abutting streets, parking lots, and residentially zoned property. Storage shall not exceed the height of the screening. 2. Six to seven feet in height 3. Six to nine feet in height					
General notes: 9. Screening is subject to height limitations for Vision Clearance Areas (Section 3.03.06) and adjacent to streets (Section 2.01.02). 10. No screening is required where a building wall abuts a property line. 11. Where a wall is required and is located more than two feet from the property line, the yard areas on the exterior of the wall shall be landscaped to a density of one PU per 20 square feet.					

Applicant's statement: "This is a request for relaxation of the standards that requires an Architectural Wall 6' – 7' in height when a property zoned CG is adjacent to property zoned RS. This requirement is found in Section 3.06.05."

Directly across Robin Avenue, on the northeast portion of the development site, is property zoned RS (See site plan sheet L3.0, Exhibit D). See Site Plan Sheet L3.0. Zoning boundaries are indicated on plan.

Conclusions: The concrete block wall on the west side of Woodland Avenue provides comparable screening for the abutting single-family development to the west. The Planning Commission may require an architectural wall, fence, or hedge at the perimeter of the property along the eastern and southern boundaries (abutting the CG and IL zones) as part of this Design Review. The Planning Commission may require an architectural wall, fence, or hedge at the perimeter of the property along the eastern portion of the northern boundary (abutting a P/SP zone) as part of this Design Review. This Design Review does not authorize outdoor storage. Refuse screening is verified during the building permit process and before final occupancy.

Conclusion: An architectural wall is required along the western portion of the northern property boundary (abutting an RS zone developed with a manufactured dwelling park). The applicant has requested a variance to this provision. The variance request is analyzed later in this report.

Finding: Section 3.06.05.B requires a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. Key to the required 42-inch visual screen is shielding parking (headlights, etc.) from adjacent rights-of-way. The plan includes several drive-up windows on the periphery of the property. Initial plantings need to be adequate to screen headlights from adjacent streets and properties.

Applicant's statement: All parking areas abutting a street provide a 42" visual screen.

Conclusion: The proposed development complies with Section 3.06.05.B.

Finding: Section 3.06.07 regulates the removal of significant trees (defined in Section 1.02 as any existing, healthy tree 24 inches or more in diameter, measured five feet above ground level). There are no significant trees on the site.

Conclusion: The proposed development complies with Section 3.06.07 because there are no significant trees on the property.

WDO 3.07 Architectural Design

Finding: Section 3.07.06 contains the design guidelines applicable to development in the CG zone. Guidelines are not mandatory requirements, but are community norms and are at the discretion of the decision-maker.

Findings: Section 3.07.06.B.1 provides that building facades visible from streets and public parking areas should be articulated, in order to avoid the appearance of box-like structures with unbroken wall surfaces. The appearance of exterior walls should be enhanced by incorporating three-dimensional design features, including:

- a. Public doorways or passage ways through the building;
- b. Wall offsets or projections;
- c. Variation in building materials or textures; and
- d. Arcades, awnings, canopies or porches.

The floor plans show that all buildings are articulated at the building entrances and are composed of several different building materials.

Conclusion: The proposed development complies with the guidelines of Section 3.07.06.B.1.

Findings: Section 3.07.06.B.2.a provides that building exteriors should exhibit finishes and textures that reduce the visual monotony of bulky structures and large structural spaces. Building exteriors should enhance visual interest of wall surfaces and harmonize with the structural design.

All buildings feature a variety of finishes, materials, textures, and colors to provide visual interest.

Conclusion: The proposed development (see Exhibits D and E) complies with the guidelines of Section 3.07.06.B.2.a.

Findings: Section 3.07.06.B.2.b(1) provides that at least 30% of the wall surface abutting a street should be glass. The elevation drawings show calculations demonstrating more than 30% glass in all building facades facing a street.

Applicant's statement: "(1) At least 30% of the wall surface abutting a street should be glass.

Architectural elevations abutting a street:

- ☐ ☐ Pad A north and west wall
- ☐ ☐ Pad B north and east wall
- ☐ ☐ Pad C east and south wall
- ☐ ☐ Pad D south wall
- ☐ ☐ Pads E and F west wall

See Architectural Elevations (Exhibit E) for percentage of glazing. Not all wall surfaces abutting the streets have 30% glazing as a result of interior floor plans, the nature of the proposed tenant's business and concerns for security of tenant business or inventory. Glass has been added where appropriate and architecturally pleasing."

Conclusion: The applicant is requesting flexibility in meeting this standard and is subject to Planning Commission discussion.

Findings: Section 3.07.06.B.2.b(2) provides that all walls visible from a street or public parking area should be surfaced with wood, brick, stone, designer block, or stucco, or with siding that has the appearance of wood lap siding.

The proposed buildings will be surfaced with a variety of finishes including stone, stucco, and wood lap siding. Facades facing adjacent streets are typically finished in stucco and require greater diversity of building materials.

Conclusion: This is a discretionary standard that the Commission needs to consider.

Findings: Section 3.07.06.B.2.b(3) provides that the use of plain concrete, plain concrete block, corrugated metal, plywood, T-111 and sheet composite siding as exterior finish materials for walls

visible from a street or parking area should be avoided.

Plain concrete, corrugated metal (except as awning material), plywood, T-111, and sheet composite are not proposed as exterior finishes.

Conclusion: The development complies with the guidelines of Section 3.07.06.B.2.b(3).

Findings: Section 3.07.06.B.2.b(4) provides that the color of at least 90 percent of the wall, roof and awning surface visible from a street or public parking area should be an “earth tone” color, containing 10 parts or more of brown or a “tinted” color and containing 10 parts or more white.

The photographs included with this submittal as materials samples show earth tone colors.

Conclusion: The development complies with the guidelines of Section 3.07.06.B.2.b(4).

Findings: Section 3.07.06.B.2.b(5) provides that fluorescent, “day-glo,” or any similar bright color shall not be used on the building exterior. The photographs included with this submittal as materials samples do not show any bright colors.

Conclusion: The development complies with the guidelines of Section 3.07.06.B.2.b(5).

Findings: Section 3.07.06.B.3 provides that the roofline at the top of a structure should establish a distinctive top to the building, and that the roofline should not be flat or hold the same roof line over extended distances. Rather, the roofline should incorporate variations, such as:

- (1) Offsets or jogs in the plane of the roof;
- (2) Changes in the height of the exterior wall for flat roof buildings, including parapet walls, with variations in elevation or cornices.

All buildings meet this standard (see Exhibit E) through variations in elevations of the parapet walls.

Conclusion: The proposed development complies with the guidelines of Section 3.07.06.B.3.

Findings: Section 3.07.06.B.4 provides that all roof-mounted equipment, except solar collectors, should be screened from view.

The elevation drawings show no roof-mounted equipment.

Conclusions: The proposed development complies with the guidelines of Section 3.07.06.B.4. This provision is also routinely verified during the building permit process.

Findings: Section 3.07.06.B.5 provides that all building faces abutting a street or a public parking area should provide weather protection for pedestrians. Features to provide this protection should include:

- a. A continuous walkway, at least eight feet wide, along the face of the building utilizing a roof overhang, arcade, awnings or canopies

- b. Awnings and canopies that incorporate the following design features:
 - (1) Angled or curved surfaces facing a street or parking area
 - (2) A covering of fabric, or matte finish vinyl
 - (3) A constant color and pattern scheme for all buildings within the same development
 - (4) No internal back lighting.

The elevation drawings show awnings at the building entrances, but not continuously along the face of the buildings. Plans submitted show metal and cloth awnings that are 4 – 6 feet deep at various door entrances, which are not wide enough to offer full weather protection to pedestrians.

Conclusions: The proposed development does not fully comply with the guidelines of Section 3.07.06.B.5. The Commission may approve this project even though it does not comply with the guidelines, or may require compliance. The Commission should address this point in its deliberation or motion – either by acknowledging this deviation, or by requiring conformance with the guideline.

Findings: Section 3.07.06.B.6 provides that obstruction of existing solar collectors on abutting properties by site development should be minimized. No solar collectors on adjacent properties are apparent in recent aerial photos. Any solar collectors on adjacent properties would be separated from the proposed development by a right-of-way.

Conclusion: The proposed development complies with the guidelines of Section 3.07.06.B.6.

Findings: Section 3.07.06.C provides that building location and orientation should compliment abutting uses and development patterns, and that the maximum yard abutting a street should be 150 feet. All buildings are located near the perimeter of the property.

Conclusion: The proposed development complies with the guidelines of Section 3.07.06.C.

WDO 3.10 Signs

Findings: Table 3.10.10B sets forth the sign allowances for the property. The property is not within the Freeway Overlay (which allows increased area and height for pole signs). A pole and a monument sign are allowed by ordinance. Signs will be reviewed separately by staff.

Permanent Signs in the CG Zone Table 3.10.10B (excerpt)	
Pole Signs ¹	
Frontage	Elsewhere

Permanent Signs in the CG Zone Table 3.10.10B (excerpt)	
300-599 feet	<ul style="list-style-type: none"> • Maximum 1 per single-tenant site or complex • Maximum 20 feet high • Maximum 50 square feet (single tenant) • Maximum 75 square feet (complex)
Monument Signs ¹	
Frontage	Allowance
300 feet or more	<ul style="list-style-type: none"> • Maximum 1 per single-tenant site or complex • Maximum 8 feet high • Maximum 100 square feet
Wall Signs	
<ul style="list-style-type: none"> • Minimum 20 square feet • Maximum 6 percent of facade or 200 square feet, whichever is less • Allowance increases by 50 percent if the wall is more than 200 feet from the public right-of-way 	
<ol style="list-style-type: none"> 1. A monument sign may not be established on the same frontage as a pole sign. 2. Changing image is allowed on freestanding signs only, up to 50 percent of the total sign area. 3. Externally or internally illuminated signs – except internally illuminated awnings – are allowed. 	

Applicant's statement: "Signs locations will be approved through a sign permit and meet Woodburn Sign Code requirements. Schematic locations have been shown on the Site Plan pending approval through the sign permit process and planning approval."

Conclusion: Signs are not included with this Design Review application.

WDO 5.03.02 Design Review, Type III

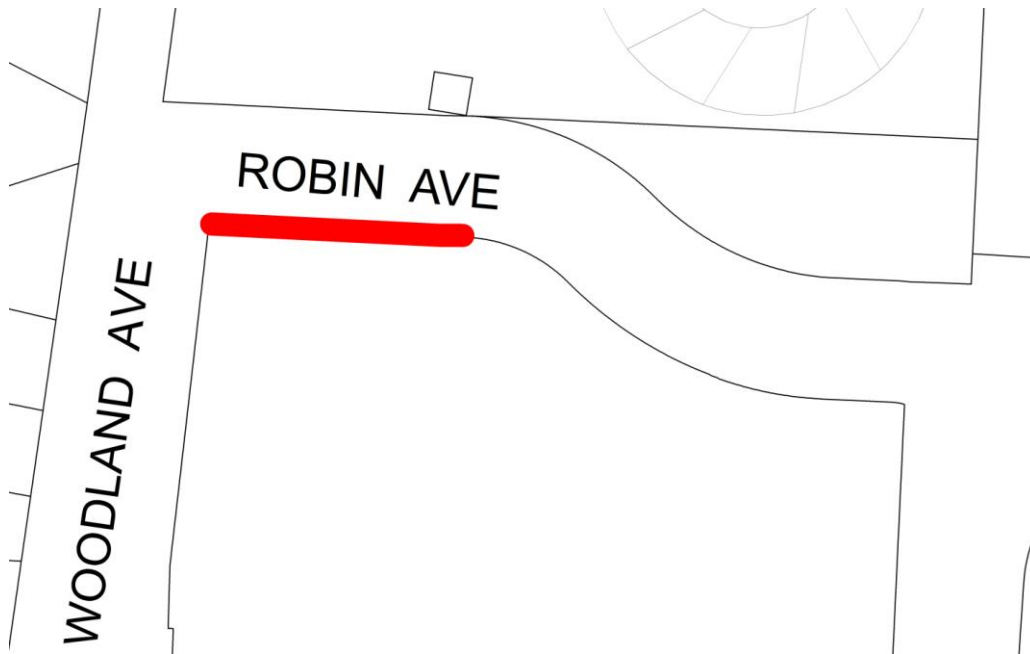
Findings: Section 5.03.02.B.3 requires a Type III Design Review for structures greater than 2,000 square feet in the CG zone. The application is for five retail and restaurant buildings totaling 52,000 square feet of gross floor area.

Conclusion: The application complies with Section 5.03.02.B.3.

WDO 5.03.12 Variance

Table 3.06D requires screening between adjacent uses.

Screening Requirements Table 3.06D (excerpt)		
W = Architectural wall required		
Adjacent properties – zone or use that receives the benefit of screening →	RS zone	Manufactured dwelling park
Property being Developed – must provide screening if no comparable screening exists on abutting protected property ↓		
CG zone	W ²	W ²
2. Six to seven feet in height		



Location of Required Screening Wall

Finding: Section 5.03.12 A. The purpose of this Type III Variance is to allow use of a property in a way that would otherwise be prohibited by this Ordinance. Uses not allowed in a particular zone are not subject to the variance process. Standards set by statute relating to siting of manufactured homes on individual lots, siding and roofs of manufactured homes, and manufactured home and dwelling park improvements are non-variable.

Finding: Section 5.03.12 B.

A variance may be granted to allow a deviation from development standard of this ordinance where the following criteria are met:

1. Strict adherence to the standards of this ordinance is not possible, or imposes an excessive burden on the property owner, and
2. Variance to the standards will not unreasonably impact existing or potential uses, or development on the subject property or adjacent properties.

C. Factors to Consider: A determination of whether the criteria are satisfied involves balancing competing and conflicting interests. The factors that are listed below are not criteria and are not intended to be an exclusive list but are used as a guide in determining whether the criteria are met.

1. The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:
 - a. Physical circumstances over which the applicant has no control, related to the piece of property involved that distinguish it from other land in the zone, including, but not limited to, lot size, shape, and topography.
 - b. Whether reasonable use, similar to other properties, can be made of the property without the variance.
 - c. Whether the hardship was created by the person requesting the variance.
2. Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance is materially injurious includes, but is not limited to:
 - a. Physical impacts such development will have because of the variance, such as visual, noise, traffic, drainage, erosion and landslide hazards.
 - b. Incremental impacts occurring as a result of the proposed variance.
3. Existing physical and natural systems, such as, but not limited to, traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.
4. Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;
5. Whether the variance conflicts with the Woodburn Comprehensive Plan.

Conclusion: The applicant has requested a variance to eliminate the required screening wall along the portion of Robin Avenue abutting residentially-zoned property and a manufactured dwelling park.

Applicant Statement: “Strict adherence to the standards of this ordinance is not possible for the majority of the length of the area where the architectural wall is required. Site distance standards for safe egress from the property, (as per the Transportation Assessment letter by Kittelson & Associates,

Inc. Dated July 7, 2015, Page 5) submitted with the Design Review III application) recommend that for a certain area there can be no site obstructions taller than 30 inches. See Site Plan Sheet L3.0. A site distance line has been indicated on the drawing. It is measured from a point 14 ½ feet back to a place in the center of the oncoming lane.

Due to the horizontal curvature of Robin Avenue along the north site frontage, it is important to ensure that there is an adequate departure sight triangle for the northbound left and right turn exiting lanes. To ensure the maximum amount of intersection sight distance for these two movements, it is recommended that all street trees and above ground utilities be kept clear of the departure sight triangles and that any landscaping be limited to low lying ground cover.

Relaxing the standards for requiring the architectural wall will have a positive impact on both the development on the site and the adjacent properties. The architecture of the proposed building, located in the area that would require the wall, is an attractive building. The facade facing the residential area (as well as the other 3 facades) has a variety of elements that make it pleasing to look at, to include but not limited to:

- ☐ ☐ 30% glass
- ☐ ☐ A variety of high quality materials (stone, wood, stucco, steel, etc.)
- ☐ ☐ Building articulation (both horizontally and vertically)
- ☐ ☐ Architectural lighting, accents and highlights

That side of the building acts as a more attractive wall than the required wall as it is integrated into the building and doesn't stand out as a separate element in the landscaping acting as a barrier to the site instead of an amenity to the site.

The north facing wall is 20 feet from the north property line and there is extensive landscaping between the building and the street.

In addition to the architecture, there is landscaping and the addition of large scale street trees. This landscaping is carried throughout the development site and helps tie the site together on a visual level. Maintaining this landscaping across the entire north boundary, without interrupting it with a 6' –

7' wall, will bring more continuity to the view of the north side of the property and be more aesthetically pleasing than a stand-alone masonry wall found nowhere else on the 5 acre development site.

The shape of the land is part of the equation when understanding why approving the variance would be appropriate. Safety standards for site distance lines (see Site Plan Sheet L3.0) on Robin Avenue indicate that at the posted speeds the safe distance for cars leaving the site and being able to see cars approaching from the west is as shown on the plan. Because of the shape of the north side of the land the site distance line cuts through the site where the 6' – 7' architectural wall might have been.

The elimination of the requirement for an architectural wall will allow the architecture of the building to be seen as well as allow for continuity of landscaping across the entire north frontage. As shown on the air photo, the nearest building in the manufactured home park is 150 feet away and across a right of way. The residentially zone property also has mature vegetation which obscures some of the view into the development site. See Attachment D: View Looking North.

There are no apparent negative impacts as a result of this variance. Only positive results as discussed above. Therefore there should not be any incremental impacts as well. The vegetation will mature over time and only serve to make the view into the site more appealing. The attractive architecture serves to screen the adjacent property from the parking lot which is seen as a positive outcome.

There will be no negative impacts or adverse effects as a result of the relaxing of this standard. The attractive architecture serve as a more aesthetically pleasing wall than a 6' – 7' standalone wall in the landscape.

This variance does not conflict with the Woodburn Comprehensive Plan.

Conclusion (Applicant):

“Adding a 6’-7’ wall between the residential property and the development site for a short portion of the site would create an element that:

- ☐ ☐ seems out of place relative to the high quality design and character of the site
- ☐ ☐ creates a barrier between uses as opposed to allowing a view of the attractive architectural building wall
- ☐ ☐ creates a lack of continuity in the north property line landscaping
- ☐ ☐ adds unnecessary costs to the project

Relaxing the requirement for the wall would:

- ☐ ☐ allow more eyes into the site for security and safety
- ☐ ☐ allows for landscaping that creates a more welcoming environment
- ☐ ☐ allows the architecture to be seen and provide a backdrop for the landscaping

Conclusion: The project has unique site characteristics accessing unto adjacent roads which require good site distances. Installation of landscaping will help mitigate impacts from the on-site parking and lighting. The property is separated from adjacent uses by public roads, further mitigating impacts.

Conclusions: The property is not “unbuildable by application of the WDO.” The requested variance would not alter existing patterns of traffic, drainage or other physical or natural systems, or be materially injurious to adjacent properties. The requested variance does not conflict with this ordinance nor the Woodburn Comprehensive Plan.

Overall Conclusion – Design Review and Variance

The proposed development meets or can meet the requirements of the Woodburn Development Ordinance with appropriate conditions of approval. The Commission's deliberation or motion should recognize that the project does not fully comply with the materials, texture, and weather protection guideline of Section 3.07.06.B.5 – either by acknowledging this deviation, or by requiring conformance with the guideline.

Staff Recommendation

The Planning Division recommends approval of cases DR 2014-02 and VAR 2014-01, subject to the following conditions of approval:

1. The property owner shall execute an acceptance of these conditions of approval.
2. The property shall be developed in substantial conformity to the preliminary plans and as described in the narrative (Exhibits A-G), except as modified by these conditions of approval.
3. Prior to issuance of a building permit, the property owner shall provide dedicated right-of-way for the sidewalk along Woodland Avenue and the SE quadrant of Woodland Avenue and Robin Avenue. The property owner shall also provide utility easements for water mains and appurtenances, and a five-foot public utility easement adjacent to all property lines.
4. All state and local permits will be required prior to work within the public rights-of-way.
5. Construction shall be subject to local and state standards.
6. All water services shall have their own dedicated line and connection at the main, including separate vaults and meter boxes.
7. Submit a revised hydraulic stormwater analysis for the proposed on-site storm sewer system. Any required on-site detention area for the runoff from this site will need to be provided in accordance with the hydraulic analysis and conform to the City Storm Drainage Master Plan and ODOT requirements. The detention system is to be maintained by the applicant.
8. The property owner shall submit a public street lighting analysis indicating that existing illumination on adjacent public streets meets minimum street lighting requirements. The applicant shall be required to install necessary street illumination that will meet minimum ANSI/IES standards.
9. All water mains and appurtenances shall comply with Public Works, Building Division and Woodburn Fire District requirements.
10. Abandonment of existing water, sanitary sewer and storm sewer facilities shall comply with City of Woodburn and ODOT requirements.

11. Required abandonment of existing water facilities at the water main shall be done by the City and paid for by the property owner.

EXHIBITS

Exhibit “A”	Design Review III Application
Exhibit “B”	Variance Application
Exhibit “C”	ODOT Correspondence, E-mails, Woodburn Commercial Development Transportation Assessment Letter
Exhibit “D”	Site, Storm and Grading, Landscape Plans
Exhibit “E”	Floor Plan and Building Elevation Plans
Exhibit “F”	Trash Enclosure Screen
Exhibit “G”	Fixture

Full-size copies are available at City Hall, 270 Montgomery Street.

The electronic version on the Planning Commission section of the City website contains all exhibits.